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11 | Attorneys for Plaintiff and Counterclaim Defendant
LOTES CO., LTD.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

17 | LOTES CO., LTD., a Taiwan Corporation.

Case No. 3:11-cv-01036-WHA

18 Plaintiff and Counterclaim Defendant,

**STIPULATION AND ORDER
DISMISSING COMPLAINT AND
COUNTERCLAIMS**

20 HON HAI PRECISION INDUSTRY CO.,
21 LTD., a Taiwan Corporation, and FOXCONN
ELECTRONICS, INC., a California
Corporation,

The Hon. William Alsup
United States District Judge

Defendants and Counterclaimants.

1 Plaintiff Lotes Co. Ltd. and Defendants Hon Hai Precision Industry Co. Ltd. and Foxconn
2 Electronics, Inc. (the “Parties”) have reached an agreement to settle the claims and counterclaims
3 before the Court in this case. Pursuant to that settlement agreement and Rule 41(a)(1)(A)(ii) of the
4 Federal Rules of Civil Procedure, the Parties stipulate to the dismissal of the claims and
5 counterclaims at issue in this case as follows:

6 1. Plaintiff Lotes Co. Ltd.’s first, seventh, and eighth causes of action as identified in
7 its Third Amended Complaint [ECF No. 248] shall be dismissed WITH PREJUDICE;

8 2. Plaintiff Lotes Co. Ltd.’s second, third, fourth fifth and sixth causes of action as
9 identified in its Third Amended Complaint [ECF No. 248] shall be dismissed WITHOUT
10 PREJUDICE;

11 3. Each of Defendants Hon Hai Precision Industry Co. and Foxconn Electronics,
12 Inc.’s counterclaims [ECF No. 440] shall be dismissed WITH PREJUDICE.

13 **SO STIPULATED.**

14 Dated: January 19, 2018

15 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

16 By */s/ James M. Chadwick*
17 JAMES M. CHADWICK
18 Attorneys for Plaintiff and Counterclaim
19 Defendant LOTES CO., LTD.

20 Dated: January 19, 2018

21 ORRICK, HERRINGTON & SUTCLIFFE LLP

22 By */s/ Mark P. Wine*
23 MARK P. WINE
24 Attorneys for Defendants and Counterclaim
25 Plaintiffs HON HAI PRECISION INDUSTRY
26 CO., LTD. and FOXCONN ELECTRONICS,
27 INC.

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1 **ATTORNEY'S E-FILING ATTESTATION**

2 As the attorney e-filing this document, and pursuant to General Order 45, I hereby attest
3 that counsel for Defendants/Counterclaimants whose electronic signature appears above has
4 concurred in this filing.

5 Dated: January 19, 2018

6 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

7 By /s/ James M. Chadwick
8 JAMES M. CHADWICK
9 Attorneys for Plaintiff and Counterclaim
Defendant LOTES CO., LTD.

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ORDER

Based upon the stipulation of the parties and the Court's familiarity with this action, and good cause appearing,

4 1. Plaintiff Lotes Co. Ltd.'s first, seventh, and eighth causes of action as identified in
5 its Third Amended Complaint [ECF No. 248] is hereby dismissed WITH PREJUDICE;

6 2. Plaintiff Lotes Co. Ltd.'s second, third, fourth fifth and sixth causes of action as
7 identified in its Third Amended Complaint [ECF No. 248] is hereby dismissed WITHOUT
8 PREJUDICE;

9 3. Each of Defendants Hon Hai Precision Industry Co. and Foxconn Electronics,
10 Inc.'s counterclaims [ECF No. 440] is hereby dismissed WITH PREJUDICE.

IT IS SO ORDERED.

12 | Dated: _____ 2017

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE